

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE SPACE INC.,

Case No. 08 CV 2854
(SAS) (HBP)

Plaintiff,

NOTICE OF MOTION

-against-

PERRY ALAN SIMOWITZ, SPOTLIGHT VENTURES,
INC., d/b/a PERRY ALAN PRODUCTIONS, PERRY
ALAN SIMOWITZ d/b/a PERRY ALAN PRODUCTIONS,
and PERRY ALAN PRODUCTIONS

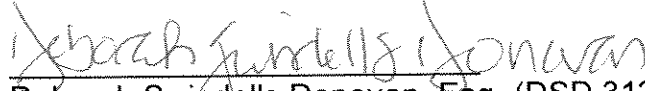
Defendants.
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PLEASE TAKE NOTICE, that upon the annexed Memorandum of Law; and upon all prior pleadings and proceedings herein, the undersigned will move this Court, before the Honorable Shira A. Scheindlin, at the courthouse located at 500 Pearl Street, New York, New York 10007 at a time to be determined by the Court, for an Order, pursuant to Rules 12(b)(6), 8(a)(2) and 9(b) of the Federal Rules of Civil Procedure, dismissing the Second Cause of Action in Plaintiff's Complaint, for fraud, as against all Defendants; and dismissing the Complaint in its entirety as against Perry Alan Simowitz, in his individual capacity.

Dated: New York, New York
March 19, 2008

Respectfully submitted,

GORDON & REES LLP


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